Liberty

NOT THE DAUGHTER BUT THE MOTHER OF ORDER — PROUDHON

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"For always in thine eyes, O Liberty!
Shines that high light whereby the world is saved;
And though thou slay us, we will trust in thee."
JOHN HAY.

On Picket Duty.

Most says that Liberty is the only organ of Anarchism in the world. Considering that in English alone there are seven or eight journals advocating what he calls Individualistic Anarchism, I presume that Most meant to say that Communistic Anarchism (whatever it means) has one small monthly organ in English,—the London "Freedom." But wasn't it an amusing error to make?

The judge who, after explicitly stating that "the use of plain language, although offensive to ears polite, might be permitted" to writers "in good faith attacking some great flagrant wrong," overrules the motion to quash the indictment under which the publishers of "Lucifer" are to be tried for mailing obscene literature, will be in the eyes of all who know the purpose and character of that periodical, if not an "immortal ass," then at least a dunce of the first order.

The loud and ignorant boasts of the so-called "Workmen's Advocate" do not provoke anger, but only contemptuous pity. I am aware that it takes all sorts of people to make up even a Socialistic world, and no doubt the existence of individuals like the editor of the aforesaid sheet is due to some curable disorder in modern methods of training. I am sure that when a better system of society is established that species of intellectual Liliputians and moral Yahoos will tend to become extinct.

I advise all those who are enthusiastic over "Looking Backward" to read William Morris's admirable review of it in the "Commonweal." He does not find in the book such a delightful picture of voluntary co-operation as attracted Mr. Pentecost, but asserts that, though the author "tells us that every man is free to choose his occupation and that work is no burden to anyone, the impression which he produces is that of a huge standing army, tightly drilled, compelled by some mysterious fate to unceasing anxiety for the production of wares to satisfy every caprice."

Whether, if people should read more, they would do more writing or less, may be an unsettled question, but it is clear that the writing would be of higher quality and merit than that now inflicted upon the innocent reader. The appearance of such an article as Professor Sumner's on "Civil Liberty" can only be explained on the supposition that the author has not read anything of value on that question. To one conversant with the writings of Mill, Buckle, Humboldt, Spencer, and Thompson on liberty, the professor's essay is remarkable for nothing except superficiality and imbecility. There is nothing sound in it that has not received better presentation before, and there is not a new idea in it that does not lack weight or truth. The remarks on Anarchism exhibit utter unfamiliarity with our literature, and are as trite as they are false.

Queries the Boston "Labor Leader": "Is it not your experience that man 'clothed in a little brief authority' gets a set of porcupine quills as an attachment? Is it not notoriously true that public officials are commonly brusque and oftentimes crabbed? The principle of voluntary association is one thing. The universal enforced submission to bureaucracy is another. The agencies through which the State enforces its now limited prerogatives are too often unlovely. Shall we have faith enough in human nature to believe that, if these prerogatives were extended, the agents would alter for the better?" Not if we have sense and logic. It is only of the evils of partial liberty that we can say with Macauley that their remedy is larger liberty; but that we can induce a tyrant to practise equity by increasing his power over his helpless subjects none but he to whom night is day can be bold enough to maintain.

The ablest American sociological and philosophical writer is Daniel Greenleaf Thompson, the successor of the late Courtlandt Palmer as president of the Nineteenth Century Club. That Mr. Thompson's works are so little known and read here may be partly accounted for by the fact that he publishes them in England, where they are not entirely unknown to fame. Though a consistent utilitarian of the English school, he generally brings considerable originality and freshness to his task. Liberty would highly recommend his "Problem of Evil" and "Social Progress" to its studious readers. In the latter the conclusion is logically reached that the progress of society is from the anarchy of savage lawlessness to the Anarchy of peace and harmonious association. It is to be regretted that Mr. Thompson has not included economic subjects in his circle of researches, for without them no solution of social problems is possible.

In his final lecture on State Socialism Mr. Pentecost properly said that that school aimed at changing the conditions and the character of the people by statute law and governmental compulsion. While not believing in that method himself, he however declared it to be entirely practicable, and said that he supposed it possible to improve men by force. But in his lecture on Anarchism, delivered later, I find the following: "Most people think that sobriety and morality can be enforced by law. But they can't. Most people think that when you bring an injustice into this world by law you can prevent its being followed by its natural consequences by another law. But you can't." Now the last averments flatly contradict the first. What is Mr. Pentecost willing to put forth as his true, actual opinion on the matter? Reconciliatory labor is praiseworthy, but it is impossible to reconcile utter antagonists holding diametrically opposite views by telling each of them that he is right.

The San Francisco "Weekly Star" of a recent date contained a four-column "analysis" of Victor Yarros's pamphlet on "Anarchism." The writer imagines that he has really found in it everything he wished to find,—incendiarism, murderous threats, cunning, contradiction, absurdity, arrogance, despotism, and fallacies. It would be useless to argue with one whose arguments are that the State is the people, that to demand to be let alone is to ask no less than Jefferson Davis asked (isn't Mr. Davis an unspeakable wretch?), that the Anarchistic form of organization is a worse despotism than any elsewhere prevailing, that Anarchism is merely civic deadheadism wishing to enjoy the advantages of society without returning any equivalent, and that Spencer's teachings have nothing in common with Anarchistic ideas. But let the critic continue to study Anarchistic literature and criticise it. He may yet originate something deserving of attention. In the same issue of the "Star" were a number of articles denunciatory of monstrous abuses practised by elected "servants" of the people—which may be taken for proof that the State is not something distinct from the people.

"I do not think," writes T. L. M'Cready in the "Twentieth Century," "as the editor seems to do, that the tendency of our civilization is toward Socialism. On the contrary, I think it is decidedly the other way. True, we have a Socialistic post office and a Socialistic public school system. We have Socialistic prisons and almshouses, and a Socialistic tariff. But these instances, and others like them, are, it seems to me, nothing more than the lingering traces of a belief that we are fast shaking off,—the once universal belief that society knows what a man needs and what is good for him better than he knows himself. Our post office has once and again had to overcome private competition, which it could not meet in any other way, by force. And where it has no authority to quell opposition by the strong hand, private enterprise competes with it with marked success. Our public schools, though immeasurably strengthened by the fact that every man is forced to contribute to their support, and by the further fact that few men can afford to have their children taught elsewhere, are nevertheless unable to prevent the establishment of private schools all over the country, to which pretty much all who can afford it send their children; the inference being unavoidable that the private schools furnish a better quality of education. Our prisons are the despair of penologists. Our almshouses are confessedly breeders of pauperism and crime. Our protective tariff would be swept away tomorrow if the men whom it pretends to benefit most could have their way." Poor George! It must take his breath away to see "the natural functions of government" thus disposed of.

Readers may remember Ernest Lesigne's "Socialistic Letter," in which the Collectivists were told that the tendency toward concentration of capital and labor is not a permanent one; that the industrious people will yet recover their liberty, compromised for a time by the infancy of machinery; that the little industry of the artisan is becoming reorganized, the machine becoming democratic, portable, convenient, cheap, accessible; and that in the near future all laborers, each one by himself or in small groups of associates, will have their own machines and tools. I learn from an editorial in the Boston "Transcript" that an eminent German statistician, Dr. Albrecht, also "thinks that the tendency of industry toward a concentration of capital and the extinction of small shops has been greatly over-estimated. In Germany, as in America, the public has taken too much for granted. It has too readily accepted that, as the small shop was going to the wall in some lines, it was going so in all." The fact is that "the small shops hold their own in clothes making and repairing, in wood engraving, in iron, leather, wax, and gum working. The introduction of small, cheap motors gives the small manufacturers, the man who works himself and employs four or five others, an advantage which his father did not enjoy. A German factory inspector is quoted as saying that the introduction of small cheap motors has largely increased the number of small shops throughout the empire." And "Dr. Albrecht's conclusion is that with the improvement of electric motors and the consequent cheapening of electricity as an industrial power, there will be a still more marked increase of small shops and possibly a return to the day of small industries."

THE RAG-PICKER OF PARIS.

By FELIX PYAT.

Translated from the French by Benj. R. Tucker.

PART FOURTH.

THE STRUGGLE.

Continued from No. 147.

Ah! leave me, young man, I need to isolate myself in my trouble; else I shall again become excited, do stupid things, break and smash everything . . . and there is nothing here but walls. Anger loses its rights."

Bonnin, who had become serious with emotion, shook the old man's hand and went away, screwing up his face to suppress a tear.

"Pshaw! I am not going to weep."

The keeper raised his voice and said, addressing the prisoners:

"Attention, all of you! The roll-call is about to begin. He who is strongest in the jaws shall serve as crier today. You, Hercules of the North."

"Yes," answered the latter, detaching himself from the worst group, where he was telling how, in pretending to be a commissioner, he had been arrested in earnest, with his dear friend, the beautiful Sophie.

Paolo, who had just swept the yard, made ready to pass the call-sheets to the crier, Hercules, muttering aside:

"A spy is as good as a sheep. As well be doing the work and getting the pay of the police, both without and within. I am going to rise in rank. Better the cat than rat. One does not get arrested at least. One arrests! Ah! Bonnin, you shall pay me yet!"

The Hercules of the North mounted the bench by the side of Paolo, who passed him the sheets as fast as he received them from the jailer.

Bonnin, to distract his thoughts from Chaumette's sad story, approached the door to say his word to those coming in and going out.

The Hercules began his work, reading and bawling:

"Maréchal, Auguste, thirty-seven years. For arraignment. With his effects."

Bonnin saw an individual shake hands with the other prisoners and go out with a little bundle."

"On the way to La Force," exclaimed the young workman . . . "no need of a commissioner . . . . in the berlin of the emigrant. All the rascals are not in it; else you would find my employer there."

The Hercules shouted another name, after having deciphered another sheet.

"Bambouli; Bambouli, Ernst. To be photographed."

As Ernest started, Bonnin made this remark:

"That's what it is to be a handsome fellow. You get your portrait free."

The crier continued:

"Grippart, for examination."

And Bonnin shouted:

"For the inquisition."

"Gamord, Antoine," bellowed the Hercules; "Gamord, twenty-five years. For sentence."

A wretched vagabond left the court-yard, dragging himself painfully along.

Bonnin stopped him a moment.

"My poor friend, you will say to the judges: 'Ladies,'—of course, since they wear skirts,—'I am roving, you are sitting; let's change, if you please, for our health.'"

The Hercules called another prisoner.

"Charles Bertrand, former employee in the Department of Public Charities, condemned for the Gavard affair, term finished. At liberty, arms and baggage."

The young workman was about to address this Saint Peter of the paradise of angels when Brutus Chaumette, on seeing this liberated prisoner and hearing his name, recalling the greatest sorrow of his life, his exhausted wife and his abandoned child, ran up to him, crying:

"My daughter!"

"What does this crazy old man want?" said the employee, going out hastily.

"Not so fast," cried Bonnin; "the sooner you go, the sooner you will return.

The crier read his last sheet:

"Robert Joguerre, sentenced to hard labor, *en route!*"

The prisoners looked at each other, but not one of them left the groups.

"Come," cried the jailer, "Joguerre, and immediately; otherwise the strait jacket and iron collar!"

"Oh! gentleness!" exclaimed Bonnin. "The iron collar! it was well worth while to take the Bastille, wasn't it, Chaumette?"

But the old man, sunk into a corner, did not answer, thinking of his child.

At last the convict decided to go out.

"To the galleys," said the jailer, striking him on the back several times with his key. "And now, silence and order. Paolo, watch! I am going to receive the new-comers."

Scarcely had the jailer disappeared when the prisoners began to jump, shout, sing, and scream,—in a word, to do all that was forbidden by the regulations and the jailer, just to disobey the administrative tyranny that condemns men to be mute and motionless.

The confusion of noises made an inhuman clamor in which could be distinguished whistles, cries, calls, questions, answers, and threats, a regular dialogue of the Jardin des Plantes, all the growls and grunts of the animal kingdom.

"Hello, Charlot. . . . Is your father arrested? And your brother? And your sister? Hello! Down with the Bourse! Courage to friends and to men! Death to sheep and to spies! To the gallows with *flicks* and *gaffes!* Death to *vaches* and to *bourriques!*—*Pi-ouitt. . . . Youp-ohu!*"

This concert of curses upon judges (*vaches*), police officers (*flicks*), jailers (*gaffes*), etc., had scarcely ended when leap-frog and other games were begun.

"What a menagerie!" exclaimed Bonnin, clasping his hands with a comical air of astonishment.

"Look out," cried Paolo, "the keeper is coming back. Here are the new arrivals."

In fact, under the arches of the prison sounded at intervals this cry:

"Into the common room. Receive!"

"Send!" growled the Hercules, raising the shout so familiar in the jails.

Bonnin thought it incumbent on him to do the honors of the "Heap" to the rals.

Take the trouble to come in," said he, humorously. "There's room for everybody . . . and more. Come in, vagabonds, beggars, and starving men; you have been caught in two turns of the arm, you shall be judged in two turns of the law. Justice by steam. Come in, then, I pray you; you don't have to pay until you go out. Here is the rendezvous of workmen out of work and employers out of business. It is the hospital of abandoned childhood, the asylum of invalid old age, the pound for two-footed beasts. . . . Come in, come in! Nobody is refused. This is hell."

Then he pointed up to the windows of the cells and said:

"See, there are the private boxes reserved for the nobility and the clergy, the manufacturers and the financiers. Come in without fear, gentlemen; we do not mix those who have done everything and those who have done nothing. The *bourgeois*, fond of their ease, have rooms apart. Here as everywhere, respect for the wealthy knaves. The barefooted, the bankrupts, the aristocrats, the loafers, elegant and filthy alike, each finds his place and keeps his rank. The 'Heap' is not made for the 'haves,' but for the 'have-nots.'"

And in truth the poorly-dressed prisoners entered the court-yard, while the more distinguished went up to the rooms reserved for them above.

But Bonnin, intent upon his business, received the new-comers with workmanlike frankness, always hard upon robbers, christening them in his own fashion and according to their appearance.

Catching sight of the first, he asked:

"Say, you, Rigolo, what have you done?"

The fellow confessed his offence complacently.

"I almost knocked down my mother-in-law, and she entered a complaint."

Bonnin gave him a friend's advice.

"Another time you will knock her down completely; she will have nothing more to say; at least that's my opinion. You're in for three weeks."

He passed to the second.

"Your crime, Gredinet?"

"Assault in the night-time," answered the other.

"Ah!" said Bonnin, "that's an affair of three months."

Then to the next:

"And you, poor Azor?"

"I thrashed a policeman in broad daylight," was the answer.

"Poor fellow! you'll get three years. Three weeks, that's easy; three months, that's endurable; but three years, that comes hard. Keep your courage up!"

A beggar in rags and tatters came through the door.

"Why do you come here, Crœsus?" inquired Bonnin.

"To look for bread. I stole some yesterday in order to have some today."

Bonnin was silent.

A youngster followed, saying in his vicious little voice:

"My parents want me shut up in a house of correction, and I come here to serve my apprenticeship."

"Your parents are right," declared Bonnin; "they wish to show you a good example. Choose your professors. When you leave here, you will have a sure trade, with no danger of ever getting out of work."

The keeper reappeared, shouting again:

"Attention!"

A man rushed into the court-yard, stumbling over the pavements, hitting his head against the walls, and screaming at the top of his voice:

Forever wine!

He sank upon the bench beside Brutus Chaumette, while Bonnin murmured:

"Whoever sold him his liquor didn't cheat him."

"My daughter!" screamed Father Jean, for it was he whom they committed to prison. . . . "My daughter! . . . . Marie! . . . The letter! . . . The Quai! . . . . The wine! . . . The proof! . . . Lost!"

"He is mad," said Bonnin, addressing Chaumette.

"His daughter! . . . His daughter! . . . Yes, mad, as I shall be soon."

Hoots had greeted the entrance of the rag-picker. Several prisoners ran after him, bawling:

"A drunkard! A drunkard!"

And one of them cried:

"To the fountain!"

The old Chaumette stood up in front of Father Jean, covering him with his body.

"Not a step farther, gang of bandits," he growled.

But a burst of laughter answered him.

Bonnin, appealed to by Chaumette, interposed also, and, taking his place beside him, in a pugilistic attitude, he shouted:

"Well! touch him and see!"

His resolute attitude produced an effect upon the leaders, and, no one making up his mind to strike the first blow, the jailer, called back by the noise, had time to intervene and release Father Jean by dealing heavy blows right and left with his key.

Meanwhile the prison bell rang, announcing the hour for returning to the dormitory.

The prisoners formed a procession in pairs, Jean on Chaumette's arm and repeating: "Marie! my daughter!" while Bonnin brought up the rear, saying to himself:

"Really, this old fellow doesn't seem to be any worse than the other. What can he have done? We shall know tomorrow, when he has slept off his wine,—that is, if his head doesn't ache too hard."

Then, his natural disposition coming to the surface, he added:

"Everybody's looking for his daughter today. No wonder there are so many lost girls."

And with this sally he climbed the stairs of Morpheus.

CHAPTER V.

SAINT-LAZARE.

From the men's prison let us go to the women's, from the Conciergerie to Saint-Lazare. It has just struck the hour of noon. The gloomy house is gradually becoming animated. It is visitor's day.

The first to send in his name was Camille Berville.

"Some one already," said the sister to herself, introducing the young man into an enclosure set off by railings.

Camille, in great agitation, saluted the nun, saying:

"Please be good enough, Madame, to send for Mademoiselle Marie Didier."

The sister consulted her book and, starting towards a corridor, cried:

"No. 97, the girl Didier."

"Such a call in such a place," thought Camille sorrowfully. "What a pity! Poor saint in hell!"

Again he addressed the nun:

"My sister, Mademoiselle Didier is innocent, the victim of an error. Show her, then, please, all the consideration compatible with your duty."

The nun sulkily acquiesced.

"I will heed your recommendation, Monsieur," she answered, thinking to herself: "Love! either blind or an accomplice!"

And with affectation she added:

"Here, Mademoiselle."

She went out, while Marie, grown thin and pale, made her entrance, clad in the sombre prison garb.

"Ah! Monsieur Camille," she cried, with enthusiasm.

To be continued.

FREE POLITICAL INSTITUTIONS:

THEIR NATURE, ESSENCE, AND MAINTENANCE.

AN ABRIDGEMENT AND REARRANGEMENT OF

Lysander Spooner's "Trial by Jury."

Edited by VICTOR YARROS.

LEGITIMATE GOVERNMENT AND MAJORITY RULE.

Continued from No. 147.

It is supposed that, if twelve men be taken by lot from the mass of the people, without the possibility of any previous knowledge, choice, or selection of them on the part of the government, the jury will be a fair epitome of the country at large, and not merely of the party or faction that sustain the measures of the government; that substantially all classes of opinions prevailing among the people will be represented in the jury; and especially that the opponents of the government (if the government have any opponents) will be represented there as well as its friends; that the classes who are oppressed by the laws of the government (if any are thus oppressed) will have their representatives in the jury as well as those who take side with the oppressor—that is, with the government.

It is fairly presumable that such a tribunal will agree to no conviction except such as substantially the whole country would agree to, if they were present taking part in the trial. A trial by such a tribunal is therefore in effect a trial by the country. In its results it probably comes as near to a trial by the whole country as any trial that it is practicable to have without too great inconvenience and expense. And as unanimity is required for a conviction, it follows that no one can be convicted except for the violation of such laws as substantially the whole country wish to have maintained. The government can enforce none of its laws (by punishing offenders through the verdict of juries) except such as substantially the whole people wish to have enforced. The government, therefore, consistently with the trial by jury, can exercise no powers over the people (or—what is the same thing—over the accused person, who represents the rights of the people) except such as substantially the whole people of the country consent that it may exercise. In such a trial, the country, or the people, judge of and determine their own liberties against the government, instead of the government's judging of and determining its own powers over the people.

But all this "trial by the country" would be no trial at all by the country, but only a trial by the government, if the government could either declare who may and who may not be jurors, or could dictate to the jury anything whatever, either of law or evidence, that is of the essence of the trial.

If the government may decide who may and who may not be jurors, it will of course select only its partisans and those friendly to its measures. It may not only prescribe who may and who may not be eligible to be drawn as jurors, but it may also question each person drawn as a juror as to his sentiments in regard to the particular law involved in each trial before suffering him to be sworn on the panel, and exclude him if he be found unfavorable to the maintenance of such a law.

So, also, if the government may dictate to the jury what laws they are to enforce, it is no longer a trial by the country, but a trial by the government; because the jury then try the accused, not by any standard of their own, but by a standard dictated to them by the government. And the standard thus dictated by the government becomes the measure of the people's liberties. If the government dictate the standard of trial, it of course dictates the results of the trial. And such a trial is a trial by the government. In short, if the jury have no right to judge of the justice of a law of the government, they plainly can do nothing to protect the people against the oppressions of the government; for there are no oppressions which the government may not authorize by law.

The jury are also to judge whether the laws are rightly expounded to them by the court. Unless they judge on this point, they do nothing to protect their liberties against the oppressions that are capable of being practised under cover of a corrupt exposition of the laws. If the judiciary can authoritatively dictate to the jury any exposition of the law, they can dictate to them the law itself, and such laws as they please; because laws are in practice one thing or another according as they are expounded.

The jury must also judge whether there really be any such law as the accused is charged with having transgressed.

The jury must also judge of the laws of evidence. If the government can dictate to a jury the laws of evidence, it can not only shut out any evidence it pleases, tending to vindicate the accused, but it can require that any evidence whatever that it chooses to offer be held as conclusive proof of any offence whatever which the government chooses to allege.

It is manifest, therefore, that the jury must judge of and try the whole case, and every part and parcel of the case, free of any dictation or authority on the part of the government. They must judge of the existence of the law; of the true exposition of the law; of the justice of the law; and of the admissibility and weight of all the evidence offered: otherwise the government will have everything its own way, the jury will be mere puppets in its hands, and the trial will be in reality a trial by the government, and not a trial by the country. By such trials the government will determine its own powers over the people, instead of the people's determining their liberties against the government; and it will be an entire delusion to talk, as for centuries we have done, of the trial by jury as a "palladium of liberty," or as any protection to the people against the oppression and tyranny of the government.

Unless such be the right and duty of jurors, it is plain that, instead of juries being a palladium of liberty, a barrier against the tyranny of the government, they are really mere tools in its hands for carrying into execution any injustice and oppression it may desire to have executed.

But for their right to judge of the law, and the justice of the law, juries would be no protection to an accused person, even as to matters of fact; for, if the government can dictate to a jury any law whatever in a criminal case, it can certainly dictate to them the laws of evidence. That is, it can dictate what evidence is admissible and what inadmissible, and also what force or weight is to be given to the evidence admitted. And if the government can thus dictate to a jury the laws of evidence, it can not only make it necessary for them to convict on a partial exhibition of the evidence rightfully pertaining to the case, but it can even require them to convict on any evidence that it pleases to offer them.

The question, then, between trial by jury as thus described, and trial by the government, is simply a question between liberty and despotism. The authority to judge what are the powers of the government and what the liberties of the people must necessarily be vested in one or the other of the parties themselves, because there is no third party to whom it can be entrusted. If the authority be vested in the government, the government is absolute, and the people have no liberties except such as the government sees fit to indulge them with. If, on the other hand, that authority be vested in the people, then the people have all liberties except such as the whole people choose to disclaim; and the government can exercise no power except such as the whole people consent that it may exercise.

The force and justice of the preceding argument cannot be evaded by saying that the government is chosen by the people; that, in theory, it represents the people; that it is designed to do the will of the people; that its members are all sworn to observe the fundamental or constitutional law instituted by the people; that its acts are therefore entitled to be considered the acts of the people; and that to allow a jury representing the people to invalidate the acts of the government would therefore be arraying the people against themselves.

There are two answers to such an argument.

One answer is that in a representative government there is no absurdity or contradiction, nor any arraying of the people against themselves, in requiring that the statutes or enactments of the government shall pass the ordeal of any number of separate tribunals before it shall be determined that they are to have the force of laws. Our American institutions have provided five of these separate tribunals, to wit, representatives, senate, executive, jury, and judges; and have made it necessary that each enactment shall pass the ordeal of any number of separate tribunals before its authority can be established by the punishment of those who transgress it. And there is no more absurdity or inconsistency in making a jury one of these several tribunals and giving it a veto upon the laws than there is in giving a veto to each of these other tribunals. The people are no more arrayed against themselves when a jury puts its veto upon a statute which the other tribunals have sanctioned than they are when the same veto is exercised by the executive or the judges.

But another answer is that the government, and all the departments of the government, are merely the servants and agents of the people, not invested with arbitrary or absolute authority to bind the people, but required to submit all their enactments to the judgment of a tribunal more fairly representing the whole people before they carry them into execution. If the government were not thus required to submit their enactments to the judgment of the country; if, in other words, the people had reserved to themselves no veto upon the acts of the government, then the government, instead of being a mere servant and agent of the people, would be an absolute despot over the people. It would have all power in its own hands, because the power to punish carries all other powers with it. A power that can of itself, and by its own authority, punish disobedience, can compel obedience and submission, and is above all responsibility for the character of its laws. In short, it is a despotism.

And it is of no consequence to inquire how a government came by this power to punish, whether by prescription, by inheritance, by usurpation, or by delegation from the people. If it have now but got it, the government is absolute.

It is plain, therefore, that, if the people have invested the government with power to make laws that are absolutely binding, and to punish transgressors, they have surrendered their liberties unreservedly into the hands of the government.

It is of no avail to say in answer to this view of the case that in thus surrendering their liberties the people took an oath from the government that it would exercise its power within certain constitutional limits; for when did oaths ever restrain a government that was otherwise unrestrained? Or when did a government fail to determine that all its acts were within the constitutional and authorized limits of its power, if it were permitted to determine that question for itself?

Neither is it of any avail to say that, if the government abuse its power and enact unjust and oppressive laws, the government may be changed by the influence of discussion and the exercise of the right of suffrage. Discussion can do nothing to prevent the enactment, or procure the repeal, of unjust laws, unless it be understood that the discussion is to be followed by resistance. Tyrants care nothing for discussions that are to end only in discussion. Such discussion as does not interfere with the enforcement of their laws is but idle wind to them. Suffrage is equally powerless and unreliable. It can be exercised only periodically, and the tyranny must at least be borne until the time for suffrage comes. Besides, when the suffrage is exercised, it gives no guaranty for the repeal of existing laws that are oppressive and no security against the enactment of new ones that are equally so. The second body of legislators are likely and liable to be just as tyrannical as the first. If it be said that the second body may be chosen for their integrity, the answer is that the first were chosen for that very reason and yet proved tyrants. The second will be exposed to the same temptations as the first and will be just as likely to prove tyrannical. Who ever heard that succeeding legislatures were, on the whole, more honest than those that preceded them? What is there in the nature of men or things to make them so? If it be said that the first body were chosen from motives of injustice, that fact proves that there is a portion of society who desire to establish injustice; and if they were powerful or artful enough to procure the election of their instruments to compose the first legislature, they will be likely to succeed equally well with the second. The right of suffrage, therefore, and even a change of legislators, guarantees no change of legislation,—certainly no change for the better. Even if a change for the better actually comes, it comes too late, because it comes only after more or less injustice has been irreparably done.

But at best the right of suffrage can be exercised only periodically, and between the periods the legislators are wholly irresponsible. No despot was ever more entirely irresponsible than are republican legislators during the period for which they are chosen. They can neither be removed from their office, nor called to account while in their office, nor punished after they leave their office, be their tyranny what it may. Moreover, the judicial and executive departments of the government are equally irresponsible to the people, and are only responsible (by impeachment, and dependence for their salaries) to these irresponsible legislators. This dependence of the judiciary and executive upon the legislature is a guaranty that they will always sanction and execute its laws, whether just or unjust. Thus the legislators hold the whole power of the government in their hands, and are at the same time utterly irresponsible for the manner in which they use it.

If, now, this government (the three branches thus really united into one) can determine the validity of, and enforce, its own laws, it is, for the time being, entirely absolute and wholly irresponsible to the people.

To be continued.

Liberty.

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"In abolishing rent and interest, the last vestiges of old-time slavery, the Revolution abolishes at one stroke the sword of the executioner, the seal of the magistrate, the club of the policeman, the gauge of the excisеman, the erasing-knife of the department clerk, all those insignia of Politics, which young Liberty grinds beneath her heel." — PROUDHON.

☞ The appearance in the editorial column of articles over other signatures than the editor's initial indicates that the editor approves their central purpose and general tenor, though he does not hold himself responsible for every phrase or word. But the appearance in other parts of the paper of articles by the same or other writers by no means indicates that he disapproves them in any respect, such disposition of them being governed largely by motives of convenience.

A Question for the Nationalists.

I believe that the Nationalists are very sincere and honest people, though I am convinced that their ideals and ideas are unphilosophical and reactionary. I have no doubt that, when they advocate government control of industry, they really think that arrangement in every way superior to our present one. But inasmuch as he who is in possession of truth courts rather than evades or suppresses theoretical and practical tests and trials, I submit, in the plainest and most unequivocal manner, this simple question to these enemies of competition and private initiative: Why, if you pretend that the wrongs and evils of existing institutions are so palpable and patent, and that the beauties of your plans are so obvious and magnificent, are you so determined to crush out opposition and rivalry? Why, for instance, if government management of the postal service is attended by great benefits, are you so unwilling to allow private companies the opportunity of freely competing with the government in this branch of business? Why, if you are really certain that practical experiment could but confirm your theories, do you insist on prohibiting private enterprise? In a word, why, instead of demanding of the government to forcibly abolish individual initiative and operate in a field freed from the presence of all rivals, do you not consistently with your assurance urge upon the government to honorably win supremacy by a display of greater skill and capacity than is at the command of the present firms? I will not insinuate that you are made cowards by your conscience and that you are fearful of the results of such an open and fair struggle, for this would imply a charge of disingenuousness which I am not disposed to bring against you. But why should you use compulsion, and deprive the people of the freedom to compare, estimate, and choose? Better rely on merit pure and simple, and thus place yourselves above suspicion and reproach.

And now will the "Nationalist" justify my confidence by frankly answering the above question?

V. Y.

The Basis of Individualism.

More than to any sociological author are the Anarchists indebted to Herbert Spencer for the scientific and philosophical argumentation which supports their position. Spencer lacks nothing but a little determined consistency to be an Anarchist. But none the less do I feel it necessary to warn the Denver "Arbitrator" against cultivating an implicit faith in everything bearing Spencer's signature, and against undue neglect of the indispensable distinguishing and discriminating faculty. No dread of casuistic abuse of the *distinguo* should blind us to its virtues. That excellent organ of sound individualism lays itself open to serious attack by resting its philosophy on Spencer's reasoning in derivation of his "first principle of human happiness" in his first immature work, "Social Statics." Such a proceeding is altogether out of date, and the boastful assertions of the editor and contributors of the "Arbitrator" respecting the alleged "scientifically derived yardstick" for the determination of all social and political problems appear highly ludicrous to men familiar with the researches and discussions that have occurred since 1850. Whatever the incidental merits of "Social Statics," or the practical value of the "first principle," the method pursued in that book is utterly unscientific and signally out of harmony with modern evolutionary lines of thought. It is in fact a metaphysical dissertation, deeply and thoroughly tinctured with theological notions, not at all an exact investigation. It is as little pertinent to advise collectivists to study any part of "Social Statics" as it is for them to refer us to the economic half-truths of Marx. Spencer's early, crude speculations have been severely handled by Huxley, Harrison, Richtie, and State Socialist authors. Even Gronlund has succeeded in exposing the fundamental vice and weakness of the central argument of that work, and Spencer himself is not only characteristically reluctant to advert to it, but he at one time actually contemplated its suppression. I say without hesitation that collectivists have absolutely nothing to fear, but everything to gain, from our adoption of that book as the text-book of individualism.

The true basis of individualism is not any natural individual right, for nature knows nought but might, but a broad utilitarianism, social expediency. The hope and strength of our cause lies in the great verity that, as men gain in enlightenment and refinement, they come to realize more and more that not stern military discipline, but trust in the spontaneous unfolding of individuality, not force and repression, but liberty and sympathy, should be depended upon for the working out of a harmonious social order. It is not that one man has no natural right to tyrannize over another, or that a larger number has no right to subdue and enslave a smaller number: there is nothing whatever in nature to interdict such a policy. But it is becoming inexpedient, unwise, impossible, as Proudhon would say. Prohibition does not and cannot prohibit; compulsion does not ennoble and purify; law cannot elevate or change (except to the worse) the criminally inclined. Majority rule is fast becoming impracticable. The brain is mightier than the sword, and government expires the moment a protesting intelligence is ripe for a formidable opposition.

Society is not a manufacture, but a growth, an evolution. At various stages various principles guided men's conduct and fixed men's relations to each other. At this particular stage of social growth, the spread of knowledge and the achievements of arts and sciences are rendering force impotent as an agent for controlling men. The terrors of religion have lost their influence; brute force is defied; and man begins to discover that it remains for him to deal equitably with his fellows. When there is no longer any willing to obey, the occupation of rulers is gone, and they have to contract with their former victims on terms of equality. The Anarchists have perceived the tendency, and being convinced that time will deepen and intensify it, they therefore, and therefore only, advocate the principle of voluntary association, desiring, by a right interpretation of progress, to aid men's ascending and upward movement.

Undoubtedly there is a sense in which we may properly speak of natural rights and natural justice. But it is radically different from that in which Rousseau, Bentham, young Spencer, and other believers in a code of nature antecedent to civilization have used those terms. As man is essentially a social being, all his rights are natural social rights. There is no liberty without society, and there is no antagonism between the individual and society. Civilization does not "modify" men's natural rights; it creates them. In the absence of civil society individual rights are inconceivable. Only in proportion as the social sentiment and intelligent views of life acquire permanence and strength do the predatory instincts decay and considerations of justice prevail. Society is defined by Henry James as "the sentiment of equality and fellowship in the human bosom," a definition as beautiful as it is true and profound. Our protests against certain acts and ideas should emanate only from our consciousness that they contravene the laws of social progress. Our cause is the cause of socialized human nature.

No one has more ably elaborated this position than Spencer — not in "Social Statics," however. His fame will rest on his expositions of super-organic evolution. And if other evolutionists and agnostics follow him in stopping short of Anarchism, it is either because they are not as logical as he, or because, like him, they are knowingly inconsistent.

V. Y.

Mostly Falsehood.

In a late issue of "Freiheit" John Most stoops to treat for the thousandth and first time of what in his conceit he delights in slightingly styling "Tuckerism" and "the Tuckerites." Merely calling attention to the inaptness of these terms, since, while there undoubtedly is such a thing as "Mostism" with an indiscriminate following of "Mostites," there is no such thing as "Tuckerism" with an indiscriminate following of "Tuckerites," I will at the outset explain that by the former he means Anarchism uncrossed by Communism, and by the latter its advocates. As the advocates of Anarchism pure and simple, we have by this time become thoroughly accustomed to the abuse and misrepresentation of Most, but his latest screed is such a tissue of base innuendo, false statement, and vicious reasoning as to require some slight attention at the hands of Liberty.

Several weeks ago "Der Arme Teufel" offered a brief exposition of the methods mainly relied on by Anarchists in the furtherance of their aims and ends. In that exposition both the ballot and the bomb were put aside as ineffective and needlessly expensive means of propaganda. As giving the best promise of ultimate success, principal emphasis was placed on extra-political educational efforts in the direction of enlightening the people concerning what they most need to know in the matter of their social wellbeing and creating a revolutionary sentiment among them, with the view of later organizing the revolutionary forces for the purpose of offering passive resistance to the hostile powers of old institutions, while silently and peacefully realizing the new ideals in deeds and works.

Commenting in "Freiheit" on this exposition of the ways and means of Anarchistic propaganda, Most can not sufficiently express his contempt thereof. Indeed he cannot find words strong enough to tell us in what extremely bad odor the entire Anarchistic school is with him. The abolition of the State, involving as it does the liberation of labor from the wrongful tribute of profit, interest, rent, taxation, and all other burden of legal privilege, he describes as a foolish end, which is not made more attractive by the still more foolish means proposed to bring it about. And nothing would be gained; for since the Anarchists are uncompromising foes of Communism and fanatical champions of private property no lasting blessings would flow from the mere abolition of the State: the hoggery of private property prevailing today would still continue. And then this great logician proceeds to expose to public view a flaw in Anarchist logic. Private property, he says, implies protection, but protection of private property is — the State. Hence these Anarchists want something that they do not want when they demand the abolition of the State. O, they are utter fools!

Of all the parties now interesting themselves in the great problem of the elevation of labor theirs is indeed the most insignificant. They have but one organ — Liberty — and that could not live but at the private expense of Tucker who derives his revenue as a member of the editorial staff of a capitalistic newspaper. And so on almost *ad infinitum*.

Now what is to be thought of a man who, like Most, describes the Anarchists as the least important factor in the labor movement and yet never tires of showering his Communistic amiabilities on them? Why fight them so persistently, if they signify nothing anyway? Men with their wits about them usually decline chasing harmless game. Either Most really believes the Anarchists to be as insignificant as he represents them, and then it is the height of folly to court their hostility so attentively as he does; or he does not be-

lieve so, but knows better, and then his treatment of them is such as I care not here to properly characterize. There are grounds for believing that he knows better, and that he willfully maligns the Anarchists for reasons best known to himself. Certainly a movement that from its inception has been steadily gaining ground among the thoughtful of all peoples, and that has attracted such widespread attention as to have been accorded the compliment of a serious review and examination by magazines so prominent as the French "Journal des Economistes" and the "Political Science Quarterly" in this country cannot truly be said to stand for nothing and to be practically without significance. And when Most says Anarchism has but one organ, Liberty, does he really not know any better? Has he never heard of the "Word," which now for seventeen years has been championing the basic principles of Anarchism? Has he never heard of "Lucifer" and "Fair Play" in Valley Falls, Kansas; of the "Arbitrator" in Denver; of Fowler's "Sun" in Kansas City; of "Honesty" and the "Radical" in Australia,—has he never heard of these papers, which are all bravely fighting the battles of Anarchism?—Anarchism, I say, not Communistic Anarchism, that half-breed sired by Individualism and Communism, and which like all half-breeds, according to Huxley, has the vices of both parents and the virtues of neither.

But even if Liberty stood alone in championing Anarchism—what then? Would this fact in any wise invalidate the reasonableness of Anarchism? Surely not among thinkers.

"Protection of private property is the State." This one sentence furnishes a key to Most's thought. Anarchists reject the statement as utterly false. Protection of private property is not the State, and the State does not protect private property. That is our chief quarrel with it. The State denies private property and protects robbery. For this reason we fight it. Property as the result of man's exertion and activity would distribute itself equitably among its producers but for the malign interposition of the State. By limiting credit, restricting exchange, and monopolizing land it gives rise to the exploitation of labor through interest, profits, and rent—all forms of robbery implying the denial of private property. Such protection as individual possession may require in the state of liberty will be readily forthcoming at the hands of voluntary association which in no particular partakes of the real nature of the State. But on the other hand it is perfectly true that the enforcement and maintenance of Communism partakes of the nature of the State, and in espousing it Most proves himself at heart a Statcist. That is too plain for demonstration.

There is more to be said here, a word on methods of propagandism would be in place, but that must for the present be deferred.

In conclusion once more, however, that as Anarchists we stand first and last for liberty,—liberty which, while it makes in the direction of equalizing the distribution of wealth, uncompromisingly abominates the compulsory equality of Communism. G. S.

The "Nature" Absurdity Again.

To the Editor of Liberty:

Comrade Yarros, in criticising my communication in Liberty of June 8, thinks that I use the word nature in a narrow sense, because I exclude human conscious action. In speaking of natural laws, I only excluded legislative enactments; I cannot call them natural, even if they are the result of human consciousness.

A little further on he says: "Nature is blind and as unmindful of man's interests as of any other." Is not the comrade himself excluding human conscious action in his use of the word nature? And if nature includes human conscious action, and nature is blind, the conclusion is that consciousness is blindness.

Comrade Yarros says 'nature is stationary." I believe the reverse to be true. Spencer says: "It is a trite enough remark that change is the law of all things: true equally of a single object and of the universe. Nature in its infinite complexity is ever growing to a new development."

Comrade Yarros says further: "What the State Socialists should answer for is not their endeavor to apply natural laws to new social conditions." I beg leave to differ; I believe this the most important point that we have to consider, because it involves the question whether the economic problem can be solved without State help. The State Socialist claims that the present growth of monopolies and the robbery of labor result from natural causes; he believes that the time will come when monopolists, after having robbed labor of its all and having abolished competition, will be the masters of the situation, and the only way out of the difficulty will be for the State to take the various business enterprises under its own control. He thinks that nature will get us into this difficulty, and nothing but the government can extricate us. This is the new social condition when in their opinion natural laws are unable to operate for man's benefit, but that State help is absolutely necessary. I, on the other hand, believe that the present robbery of labor is not the result of the *laissez faire* policy, but exists just because we have not adopted that policy If the State-created privileges such as the monopolies of money, land, etc., were abolished, labor would come into possession of its own, and the products of labor would be distributed (as is the blood in the human body) in proportion to the work done. This I believe is the most "intelligent" manner of distributing blood in a body, or products among laborers, whether the distributor is intelligent or not. HENRY COHEN.

It is true that I used the word nature in the sense alleged by Mr. Cohen, but it is not true that I criticised him for the similar use of the term. It is not at all illegitimate to use the word nature in contradistinction to intelligence. But one should not thoughtlessly connect the idea of design or consciousness with such a use of it. I do not sneer at anybody, as Mr. Cohen does, for offering to "help" nature, or, if I do, is is rather because I think nature is used, not merely helped. The statement that nature needs no help, and that man should live according to nature, is sometimes only a commonplace, but far oftener it is nonsense.

Mr. Cohen avers that he intended to exclude nothing but arbitrary legislation, but he had no logical right to do that. As Morley says, men do not miraculously conceive opinions, and Mr. Cohen would doubtless refuse to admit any claim to supernaturalism on the part of Statists. If he includes any conscious action at all, he must include the action of authoritarians as well as that of libertarians. Everything that is is natural. It is time to unlearn the silly cant of the "nature" philosophy.

That existing evils are not due to individualism, in its proper sense, is plain to everybody who knows the true definition of the term. The present system is intrinsically tyrannical; and the one proposed by State Socialists containing the same elements of injustice, we naturally object to it. But we have no quarrel with their desire to improve upon blind and wasteful nature and to exploit it for social ends. Only, when they deliberately base their social system on the principle of majority rule, we raise our voice in protest, deeming it essentially anti-social; and we believe the truest and wisest policy is to recognize the right of every individual to experiment and choose his way of seeking happiness, at his own cost. Mr. Cohen does not understand the Anarchistic conception of the "let alone" motto.

I thank him for the trouble to enlighten me on the question of the law of universal change, but it was entirely superfluous. When he has read the first part of Buckle's "History of Civilization," he will appreciate my distinction between the stationariness of nature and the progressiveness of man. V. Y.

While Henry George is carrying the war into England, dissension and confusion spread in his camp here. We have seen that Mr. M'Cready scornfully dismisses the idea of nationalizing railroads, telegraphs, the currency, etc. And now comes Mr. Shearman and coolly destroys George's dreams about the great benefits of the single-tax by declaring that the plan of "artificially increasing State expenditures for the mere purpose of absorbing rent" "would involve extravagance and wasteful corruption, which would be more injurious to the people generally than would the mere appropriation of a few millions to private use," and proposes to leave ten or fifteen per cent. of the rent to the landowners. "If the State," he says, "tries to be the sole landlord, it will fail, because State officers have not omniscient wisdom." Without discussing the merits of Mr. Shearman's scheme, it is interesting to note the contrast between the boldness and confidence which characterized the George movement at the beginning and the modesty and triviality to which it is now reduced. In a little while, the thunders of the "new prophet" will be completely forgotten, and the only practical effect of that noisy agitation will be the addition of a few mild tariff-reform politicians to the Democratic party. The mountain will have labored and the mouse will have been born.

"Charley" Litchman, whilom labor reformer, editor, knight, organizer, and secretary of the order, has just been rewarded by the president with a fat office for his services to the Republicans in the last campaign. Here is a chance for young men of ambition but ill-luck to climb into power: Join a labor union, display great zeal and devotion to the cause of organization, get yourself elected to office by your dupes, boast of the strength of organized labor and inferentially of your own importance as their representative, and then, at a critical moment, in a closely contested election, when political parties are in search of recruits, resign your office in the union, come out with a statement in favor of the party having most chances of victory, and declare your readiness to work for its platform. Then wait. What Litchman has obtained by this policy is equally assured to all who imitate him.

Lovelessness Curable by Knowledge.

A friend sends Liberty the following fragment from a letter written by the composer Wagner to his friend Liszt, and contained in Hueffer's translation of their correspondence:

How ever could you think that I should "scoff" at any of your magnanimous effusions?

The forms in which we endeavor to gain comfort in our miserable circumstances depend wholly upon our nature, our wants, the character of our culture and of our more or less artistic sensations.

Who could be heartless enough to believe that to him alone the true form has been revealed?

Only he could think who has never fashioned for himself such a form of his hope and faith, but into whose dull mind it has been instilled from outside as some one else's formula, who therefore does not possess sufficient inner power to preserve his own empty existence by dint of vital instinct, and who thus communicates the formula received from others as a formula for others.

He who himself longs and hopes and believes will surely rejoice in the hope and faith of others; all contention about the true form is mere empty self-assertion.

Dear friend, I also have a strong faith, on account of which I have been bitterly scoffed at by our politicians and sages of the law.

I have faith in the future of the human race, and that faith I draw simply from my inner necessity.

I have succeeded in observing the phenomena of nature and of history with love and without prejudice, and the only evil I have discovered in their true essence is *lovelessness*.

But this lovelessness I also explain to myself as an error, an error which must lead us from the state of natural unconsciousness to the *knowledge* of the solely beautiful necessity of love.

To gain that knowledge is the task of history; and the scene on which that knowledge will be practically shown is none other than our earth, than nature, in which there are all the germs tending to this blissful knowledge.

The state of lovelessness is the state of suffering for the human race; the fulness of this suffering surrounds us now, and tortures your friend with a thousand burning wounds; but behold, in it we recognize the glorious necessity of love; *we* call to each other and greet each other with the power of love, which would be impossible without this painful recognition.

In this manner we gain a power of which man in his natural state has no idea, and this power, expanded to the power of all humanity, will in the future create on this earth a state of things from which no one will long to fly to a hereafter henceforth become unnecessary; for all will be happy, will live and love. Who longs to fly from this life while he loves? Well, well, we suffer *now*. We *now* should despair and go mad without faith in a hereafter; I also believe in a hereafter, and have just shown you this hereafter.

If it lies beyond *my life*, it does not lie beyond that which I can feel, think, conceive, and comprehend; for I believe in mankind and require nothing further.

I now ask you, who at the bottom of his heart shares my faith more than do you, who believe in me, who know and demonstrate love as no one else has proved and practised it yet?

You *realize* your faith in every moment of your life; I know deeply and inly what you believe; how then could I scoff at the form from which such a miracle springs? I should not be as much of an artist as I am if I did not joyfully understand you. Let us bravely fight and struggle; then all whims will disappear.

That I must remain so far from my battlefield is what makes me complain so often.

The Abolition of Marriage.

[A lecture read before the Manhattan Liberal Club.]

Not to keep you, for a moment even, in suspense, I will tell you plainly at the outset that I am about to advocate the abolition of marriage.

Bear with me a moment now while I explain myself. No doubt there are some here whose immediate impulse is to go away rather than to give even a hearing to such atrocious sentiments. I beg that all such will accept my assurances that I am as well disposed toward mankind as they are; that, if the state of affairs which I shall indicate is at all filled with the turmoil and wretchedness with which they suppose it to be filled, they have only to show that it is so and I will gladly relinquish my opinions and adopt theirs.

The topic I know is a delicate one. It is one upon which even radicals are apt to be conservative. About it there still hangs the "touch-me-not" atmosphere that originates in its theological associations. To tell the truth, the respect for marriage has its root in the remaining shreds of theology that still hang about us. It is a respect for a formula, a reverence for a ceremony.

It is based upon the idea that right and wrong are to be tested by some different criterion than the mere power to minister to human happiness. It is one of the superstitions of the age. Like all superstitions it consists in a renunciation of our happiness from fear of a fanciful danger.

I desire to do what I may to aid in freeing ourselves from all superstitions, that the golden age may come, as many see it coming, — the golden age when we shall fear no terrors of the night; when the happiness of man shall be the only worthy object of man's desire; deferring only to the mighty Must-Be of nature, under which limitation the search for happiness becomes the search for the everlasting Right.

Among the emancipated from the bonds of intolerance — and to these only I am now talking: the mere fact of your presence means that you will tolerate other views than your own — among these the attitude of apprehension in approaching this subject is due to two causes:

First, the general proposition, in which most of us acquiesce, that, as times change, the various institutions which, taken together, constitute the times, must themselves change — this theoretically admitted statement is not so practically realized as to give a feeling of approval in advance to every proposed change, simply because it is a change.

A priori, existence is a series of changes. Fixity means death. The old view of the stability of things is discredited. Therefore, when a change is spoken of, the only question for scientific minds is whether the particular change anticipated is in the direction of development, or whether it is retrogressive. If no definite direction of change is prophesied, to the general statement, in a particular case, that some change or other must take place, the scientific mind must give its support.

All that I say is that some change in the marriage institution is impending. What the future in the progress of humanity toward perfection shall bring in place of it, not I, not anybody, can tell. "The joys that are there mortal eye hath not seen."

The second cause of misapprehension is the very common misunderstanding of the word "marriage."

What is marriage?

Is it the happy association of a man and a woman, suited to each other in body and in mind, in tastes and in sentiments, by harmony or by contrast, rejoicing each in the mere presence of the other, moved each by the mere sound of the voice of the other; with children, to whom they rather acknowledge themselves under obligations, for the softening and expanding influence of childhood (in babyhood, charming toys, the bringers of hope in childhood, in maturity companions) than assert harsh authority upon the ground of obligations conferred upon them, — is this marriage?

By no means. This is not marriage. This is love. No marriage is necessary for such sweet involvements.

Marriage is not the happy and voluntary living together of men and women.

Marriage is a club. Now I have got you; if you try to get away, I will club you. That is what marriage is. And any one can see its endearing influence.

Marriage is the privilege conferred by law, which is in the end by force, by which one person holds the person or the property of another against their will.

Theoretically each partner by marriage is endowed with claims upon both the person and property of the other. In practice usually it is the person of the wife that the man is after, and the property of the husband that the woman is after. When they get married, the woman exchanges her right to dispose of her body as she pleases for the substantial benefit of cash, either as support or otherwise. (By otherwise I mean, for instance, alimony.)

Now let me impress upon you in the strongest possible way (I say this because I am convinced that in spite of my best efforts many will leave this hall denouncing me, under the impression that I am urging all married people at once to separate and desert their children, though I urge nothing of the sort) let me impress upon you that, when I denounce marriage, I have no objection to anybody living happily together. I only say that the possession of a club in the family is not conducive to happiness.

If my wife wants to leave me, the only possible right that I have to retain her is the right of love. I absolutely deny that I have any right to shoot her or to shoot the man that she prefers to me, or to imprison her or in any way coerce her.

More than that: I really should not care to coerce her. The companionship of one we love is worthless when it is forced. Who would think of inviting a friend to go a-fishing, and threaten him with imprisonment if he should change his mind? Would the fishing excursion be much fun if one went under compulsion?

The result of the abolition of compulsion in marriage would soon be that only happy unions could exist. If a man were cruel (and many men are cruel without throwing dishes at their wives), the woman could simply leave him without asking permission of anybody.

It is not possible, if people ever loved each other, that they would leave each other lightly. The flavor of friendship grows with age like wine. And if marriage now is not based on friendship, under liberty it could not be based upon anything else. Now a girl usually catches a man by his passion, and there could be no more uncertain and fleeting foundation for a permanent union. When a marriage is happy now-a-days it is because friendship has grown after marriage.

But if a woman had no power to compel her husband to support her, she would be very sure first that his love for her was a deep affection. The rapidly growing equality of the sexes will make intimate friendship more and more possible. In the future the marriage of hearts will come first rather than afterwards, or not at all, as now.

Already these results are partly seen. Few women will marry a man now, unless their chances have been very rare, who is notably unlikely to be a good husband. Few men care to go on with the affair, if they happen to discover that the affection of their sweetheart is chiefly affection for being taken out of their mother's jurisdiction. And after they are married, if differences occur, the finest natures revolt from a recourse to divorce proceedings.

Already in so far as the natural law of human association controls marriages are well regulated. The natural law is that responsibility for one's actions is the proper check and balance to freedom in action. Take away the false artificial substitute, and perfect freedom will accompany entire responsibility.

Now we virtually say to the man: "It is entirely unnecessary to treat your wife well; as long as you pay for her support you can be as much of a devil as you please."

And to the woman we say: "You need not exercise any care in choosing a husband, and, after you have caught him, you need not take the trouble to be pleasant. Once catch him, we will see that you keep him."

Two objections are on the lips of every one who hears such propositions for the first time.

What would become of the children?

What would become of the family?

As to the children, in the first place, "unwelcome children" would not exist. That burden under which so many women now groan, of child-bearing at the behest of their master, under the penalty of loss of support, would be removed.

The risk, the pain, the care of children would be assumed by the woman voluntarily. No man could coerce her. The very fact that she could not demand anything from the man by force, that she would have to depend upon his honorable engagement to aid her in supporting herself and the child, that any moment by chance she might be thrown upon her own resources for her living and for her child's living, would be the most powerful motive to restrain the bearing of children beyond the dictates of the desire for children and the power to support them. And, as all of you know who have children, where there is no difficulty about their support, the instinctive love of children comes uppermost, so that it would not be a question of who could produce children most thoughtlessly and hate the burden afterwards, as it now is; it would be prudent reproduction, loving desire, and devotion afterwards, such as is granted to what is longed for before it is obtained.

As for the family, is it anything to be cared for and cherished? Does indeed anything like what is called a family now exist?

The proper conception of a family is of the omnipotent and semi-divine man as a head, with a subordinate set of slaves called wife and children. Once indeed the man was by law the proprietor of both wife and children, and very naturally the other slaves that he owned were also a part of his "familia."

Later, in feudal times, his proprietorship was more limited, but still asserted as Petruchio asserts it: "You are my house, my horse, my ox, my ass, my anything."

In marriage, as in all things, governments organized and carried on necessarily by the strongest, ostensibly in protection of the weakest, have actually been used to secure the strongest in privileges which without their association in government they could not have obtained, and to subordinate the weaker, as, if they could have maintained their liberty, they would not have been subordinated.

Marriage was not instituted to maintain the rights of the wife and children, it was instituted and is still upheld to maintain the privileges of the man.

Now can it be said that the type of family based on masculine ownership still exists? Certainly, if still some semblance of it survives, it is but a semblance. Only where the equality of man and woman is practically admitted, do we find anything of the joyful life which we regard now as the ideal family. Children afraid to speak without permission; wife suppliant with eyes downcast; man a stern terror; such is not now our ideal of family life.

Not long ago it was the ideal.

And with all our improvement of ideals is it not true that the broadening and refining influences are formed mostly not in, but outside of what family we have left? Is it not by the clash of outside minds that the intellect advances, by the stimulus of outside scenes that the heart rejoices, by the association with the outside world as an equal among equals that the broad conception of the solidarity of humanity gains power, such as it could not have gained in the narrow groove of domesticity? Away with the family. It is a delusion. All that we attribute to it of good is not inherent. It is an old rag of mediævalism and supernaturalism for which we have no use. In the future quite possibly the family will be regarded as having been the hot-bed of ignorance, intolerance, pride, domination, cruelty, and of all that is hostile to sociality. Something like that Stephen Pearl Andrews somewhere remarks.

In speaking of the objections to the abolition of marriage I have incidentally implied certain advantages.

It is commonly felt that all who urge the abolition of marriage particularly wish to be free themselves to lead a reckless life sexually. In my opinion it is chiefly those who are happily married who have reason to desire the abolition of marriage. I say this because anybody who wants to lead a loose life can easily do so. They must be a little careful, cultivate their powers of deceit and hypocrisy, and loudly condemn anybody who suggests that marriage is not all it is supposed to be.

While for those who love, the fact of possessing any power of coercion naturally comes up as a little drop of bitterness. She only married me to get taken care of. He only married me from passion. Such feelings at moments arise. Without marriage they could not arise. Each would know that, however love might seem to be lacking, it could but exist; doubt would be impossible; for, with the departure of love (and by love I do not mean merely sexual desire) association would not be maintained.

Love is desire for the happiness of another. Love asks nothing for itself but the sight of the happiness of the beloved one. If more is granted, if love is returned, it is the best heaven we have to hope for.

But true love ceases not even when unrequited. They who love stick to those that they love until their love is repelled, until they are wanted to go.

So that where true love exists on either side and is only permitted by the other separation could not occur.

To use the word love to denote passion only is to limit it to a desire which is selfish chiefly. Yet even passion normally leads to a profound regard and tenderness toward its object, which has led some to regard it as the proper beginning of a deeper affection.

If I were to speak merely of the abolition of marriage as a desirable thing only, it need have little weight with anybody. What I really feel, and what I really urge, and what must have weight with everybody, is that the abolition of marriage (not the happy living together, but the ceremony, the legalization) is really inevitable. I speak of the desirability only to calm the feelings of those who quite naturally are pained by too great novelty of conceptions.

It is the necessity of things only that has real weight. It is the necessity of some new sexual arrangement that I assert.

Notice how many women are being forced to depend upon themselves for support. For each woman thus forced to support herself the wages of men are in proportion reduced.

The tendency is toward an equalization of men's and women's wages, making it more and more difficult for a man to suppport a woman, and for a woman to find a man who can support her. As a matter of fact that this last is so is notorious. When men and women shall be equal financially, is it probable that marriage will survive? With no need on the part of the woman for support, will she give any man power to control her? Will she vow life-long obedience to any man? Would it be especially virtuous that she should vow life-long obedience to any man?

If she should under such circumstances desire a child, which of us would say that the desire is a wrong desire? The time was when the sexual relation was looked upon as intrinsically criminal; even in wedlock it was only tolerated. *Stuprum conjugale*, the conjugal crime, that is what the Fathers of the Church called it.

But now, if any of the women who are supporting themselves should desire to have a child, we would not look upon the desire as otherwise than pure, elevating, lovely. It will not be long before we shall all of us see the absurdity of demanding that she should place her body for life in the power of any man. We shall see the absurdity of the feeling that any ceremony can add sanctity to the holiness of nature. We shall see the absurdity of the prejudice that a pledge of temporary association and aid for mutual pleasure in begetting and rearing children is necessarily morally abominable, while a permanent pledge to the same effect is necessarily laudable.

We shall see too that one person's taste does not constitute a rule for all men. That, if I admire monogamy, it is no reason why I should abhor those who prefer polygamy or polyandry. We shall see that good faith and honor and uprightness are quite as possible where men exercise no compulsion upon each other in sexual matters as where they do; that, in fact, as for the absolute slave faith and honor are impossible, so it is only for the entirely free that perfect faith and perfect honor and perfect virtue are possible.

Let no one suppose that I am telling anybody to leave his present partner. I am not. What I am trying to do is to make my best effort to cultivate an already existing sentiment that irregular sexual relations are not the terrible thing they were once thought.

That a noble and happy life under illicit sexual relations is more to be admired than the cat and dog affair that marriage often is now.

That constancy, and honor, and kindness, and good faith are just as possible and just as admirable when found between people living together without marriage as with.

That in fact only by throwing the full responsibility for the production of children upon the parents is it possible to restrain their reckless increase and insure their proper care.

I am trying to pave the way in public sentiment for a change in practice which must come. A change which is being brought about before our eyes and which will be accomplished like all progressive change, not by lobbying at Albany for new laws but by spontaneous social action in spite of law.

Of what the fulness of that time shall bring no one can tell surely.

Only we, to whom it has come that we have some foregleam of the brightness of the future, we know that it will not be unhappier than the present.

JOHN BEVERLEY ROBINSON.

Paper Money and Its Varieties.

When the editor of Liberty was publishing the "Radical Review" in New Bedford in 1877, he received from his friend James Harvey of Liverpool, since deceased, a book which that gentleman had just written, entitled "Paper Money, the Money of Civilization." The book was handed to Bishop Julius Ferrette for review, and the criticism which he furnished contains such an admirable analysis of paper money and answers so many questions now raised by readers of Liberty that it seems wise to reproduce it here.

Of paper money I should say we might reckon five kinds: Representative, Speculative, Absolute, Fraudulent, Undefined.

1. Representative paper, which is what Lysander Spooner advocates, simply amounts to a title-deed of an individual article of property existing somewhere, or of a definite share in that property. As there is no valuable thing in the world —gold, silver, land, houses, furniture, canals, ships, cattle —that cannot be represented by such paper, and as commercial activity never can reach such a degree as to require more things to be exchanged at one time than actually exist, the only obstacle to the natural supply of the world with such a currency, absolutely sound, and issued by the public or by private enterprise in the exact measure of the requirements in large or small bills quotable in a free market, is found in the present legislative prohibitions.

2. Speculative paper is paper not representing a thing which exists, nor even a future thing actually included in its causes, as prospective labor covered by insurance, but promising a thing which the issuer of the paper has merely an honest hope of producing, or obtaining, before the bill becomes due. Such is the written promise of a skilled hunter to deliver on a certain day the skin of a bear which he expects to kill. Such is also the promise of the United States to redeem at a certain date certain bonds by means of an amount of gold which custom duties are expected to furnish. Such paper has degrees of soundness.

3. Absolute paper money is paper which neither represents any thing nor promises anything, but simply exists and tells its name. A dollar it is, if the law calls it so; and a dollar in absolute paper money is worth just what it will be bought for as pulp at the present time. With such paper money,— which is really *pulp specie*,— provided you have enough of it, you can buy stationery or anything else on the same principle as with gold or silver specie. Yet gold and silver are in most respects a better currency than pulp specie. The respective values of the various alloys of gold and silver can be stated with a chemical precision which cannot apply to the various grades of pulp. Gold and silver owe their intrinsic values to their use as ornaments, in industry, and in plugging teeth; and pulp to its use in making paper. But though an increasing amount of pulp is required for paper-making, the value of the total amount of pulp existing in the world is much less than the value of gold and silver owned by mankind. The difference is due in part to the perishability of pulp on the one hand, and the relative imperishability of gold and silver on the other. The over-supply of gold and silver, of which the amount owned is probably sufficient for all surgical, industrial, and other requirements of the world for five hundred years to come, depreciates the whole mass to probably an enormous extent. Yet it does not make it absolutely valueless; and the part not required for current consumption can in the meantime be put to a secondary use by being hoarded against eventualities or circulated as currency. But an over-supply of pulp sufficient for the needs of five hundred years to come would have absolutely no value. Not only would it be a drug on the market, but it would rot, and become a pestilential sewage expensive to destroy. As to sufficiency, there is not, in value, gold and silver enough — much less pulp — to furnish a medium of exchange adequate to present commercial needs.

4. Fraudulent paper money is a paper promise of the fulfilment of which there is no reasonable expectation.

5. Undefined paper money is paper money which is issued without any efficient definition, formal or circumstantial, of the class to which it pretends to belong. This is left to be determined afterward, according as the creditor or debtor shall happen to be the stronger at the time of payment or at any intermediate time. In this category are the present greenbacks. A greenback dollar is a promise of the United States to pay bearer one dollar, but without saying when, nor whether in gold, silver, or another greenback dollar. These points left in blank — *when*, and *whether in gold, silver, or another greenback* — are precisely those which must be filled, in order to determine the class to which the greenback belongs, and therefore its value. If it is a promise to pay a paper dollar by means of another paper dollar, it belongs to the third class, — it is pulp specie, absolute paper money. If it is a promise to pay gold or silver not presently held for redemption, the greenback is speculative paper. Its "present value" (in the commercial, not representative, sense) is that of its face, *deducting interest up to redemption*, the necessity of that deduction making the importance of the question *when*. If the payment is to take place in twenty years, when, through the gradual depreciation of precious metals, a gold dollar will be worth probably one-half of what it is worth now, then the present value of a greenback is the half of its face value. If redemption is to take place in a year, the greenback is speculatively worth its face value less a year's depreciation; and as a year's depreciation of the precious metals amounts to less than the difference of value between gold and silver, a paper dollar, payable in gold in a year, is presently worth more than a silver dollar. If redemption is to take place in a thousand years, this practically amounts to no redemption at all, or to pulp specie. If the greenback was issued with the intention that the points left in blank should be matters of probability, fluctuating through legislation, and threats or promises of legislation, enabling politicians alternately to bring greenbacks down to the value of pulp, or up to the value of gold, according as they have greenbacks to pay their debts with, or gold to buy greenbacks with, repeating the operation as many times as they please and netting at each operation a handsome percentage, until the whole property of the country has passed into their hands and those of their friends, — then the greenback is fraudulent paper money.

Such a classification of the various and enormously different kinds of paper money — made, I do not say from my point of view, but from that of the author — I expected, but vainly expected, to find in every successive next chapter of his extremely interesting book. Mr. Harvey's sympathies for paper money seem to embrace it in its most various kinds, from that of the Pennsylvania colony, which gave such prosperity, and belongs to No. 1, to that of the Grand Khan of Tartary, which belongs to No. 3 or No. 5. The history of the vicissitudes of paper and specie legislation, which is the burden of his first chapters, is given to show that every recurrence to an issue of paper money either had the effect of averting an impending crisis, or was followed by a term of commercial prosperity; whereas every return to specie payment had the reverse effects. But he forgets to give sufficient attention to what has been so often answered, — that paper money never led to commercial prosperity unless it was readily accepted in payment for commodities; nor was it ever so accepted except under the assurance that there would be a redemption in specie, which redemption infallibly was to lead to a crisis, even if the issue of paper had not led to it before.

What leads to panics and financial ruin is neither the issuance of paper money — unless of bad kinds — or the spontaneous collapsing of currency within the limits of the precious metals, should the latter, at a period of slow but sound commercial activity, adequately meet all wants, independently of any legal restriction. What leads to panics and the confiscation of the property of the whole people by a set of sharpers is the power given to government — that is, to a *camarilla* composed of such sharpers — to tamper by legislation with the values of the entities with which commerce deals; and that in a manner favorable to the speculations of that set of sharpers who know beforehand what is to happen, but disappointing to the honest commercial calculations of all who are not in the secret.

Not only does Mr. Harvey fail to classify and compare the various kinds of paper currency, the kind which he specially favors is not even fully discussed; and I recall not read his proposition without objections crowding into my mind, which he does not seem to anticipate, but which will occur to every reader. In order to give his paper money a value other than that of the pulp, he proposes, as said in the title, to make it receivable for taxes. But in order to cut it off from all fancied or actual relation to any quantity of gold and silver in order to de-bullionize the currency, — this is exactly, or nearly, his expression, — he does not allow it to take the form of a promise by government to pay a pound sterling, or say a dollar. It is to be in the following form:

A. D. 1900 [or say any other date.]

I promise to receive this note as legal tender for the sum of ONE POUND [or say ONE DOLLAR] *in payment of Taxes or Customs in the United Kingdom and the Colonies* [or say *in the United States and Territories*].

For the Chancellor of the Exchequer
[or say *the Treasurer of the United States*],
Registered. JOHN DOE.
RICHARD ROE.

That this note will be received by government at its nominal value of one pound [or one dollar] for taxes I have not the least doubt. The question is, What will government be able to buy with such paper, and for what value will it pass as a general currency? If government issues it to the amount of only one year's taxes by paying in it its employees and contractors, giving to the public the option of paying their taxes in this currency or gold, the tax-payers will, of course, prefer to pay in paper, which they can buy from the government officials at a slight discount. If the tax-payers have the option of paying in gold or paper, but the paper is issued in advance of many years' taxation, and is irredeemable except in the way of taxes, the value of the paper will be depreciated in proportion to its inflation, and the employees paid in it the next year will have to starve, or support themselves by stealing. In neither case will the amount left floating suffice for currency. Besides, Mr. Harvey excludes both cases by excluding the option for tax-payers of paying in silver or gold. Then the tax-payers, being compelled to pay their taxes, and being able to pay them in nothing else than the tax-paper, will have to buy it at the price at which its holders — namely, the government officers and contractors —shall choose to sell it. If said officers and contractors say they will not sell it unless they receive as price all the gold, silver, land, furniture, and other property of the tax-payers, and, besides, the persons of the said tax-payers and their wives and children as slaves, all that the tax-payers will be able to do will be to comply. It will be the touching story of Joseph over again. But if the tax-payers have the option of paying their taxes or not, just as they please, as was almost the case in Louisiana and some other Southern States until lately, then the paper whose only value, besides its intrinsic value as pulp, is founded on its being required for paying taxes, will lose that additional value, sink to the level of pulp specie, and, as such, be inadequate to supply the country with a currency for general use.

Financiers' Bubble of Sophistry.

[Hugo Bilgram in the Twentieth Century.]

Your correspondent, Mr. A. P. Davis, objects to your proposition of increasing the amount of the medium of exchange by stating that the value of money will change inversely as its volume. Will he kindly show why the same law (if it is a law) does not apply to all credit-values? If the government were to print too many two-cent postage stamps, would they sell for one cent? Or when the money-lender loans on new mortgages, will all other mortgages thereby depreciate? Does he hold the volume doctrine simply because he has read it somewhere and is satisfied with the plausible sophistry by which its demonstration is attempted? Can he tell what the volume of the money is? Does it include or exclude bank notes, coin certificates, checks, drafts, promissory notes, bills of exchange, postage stamps, etc.? If he can define this elastic quantity, he can do more than any of the modern economists have accomplished.

A reference to history shows that his doctrine is not borne out by facts, and if he will ask himself for a cogent reason why a valid promise to pay a gold dollar, when merely a promissory note, should follow a different law of value than when the same promise is used as currency, he will find his doctrine to be contrary to common sense, notwithstanding its indorsement by the modern economists.

While the people are regaled, and are satisfied with this absurd theory, the modern knights, who live upon the labor of others, are safe. But as soon as their soap-bubble of sophistry breaks, as soon as the workman sees that the unlimited use of credit (provided it is sound credit) as a medium of exchange will not destroy the value of the dollar, but will remove the monopoly tax, called interest proper, under which he groans, a new industrial era will dawn and the distribution of wealth will assume an equitable basis.

Factors of Progress Essentially Quiet.

[Bagehot.]

Life is not a set campaign, but an irregular work, and the main forces in it are not overt resolution, but latent and half involuntary promptings. Military metals can direct the axe to cut down the tree, but it knows nothing of the quiet force by which the forest grows.

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